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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/597,016	06/20/2000	Liang Hong	1999-0341B (STG207)	6072
22504	7590	01/26/2006	EXAMINER	
DAVIS WRIGHT TREMAINE, LLP 2600 CENTURY SQUARE 1501 FOURTH AVENUE SEATTLE, WA 98101-1688			LY, NGHI H	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/597,016	HONG ET AL.	
	Examiner	Art Unit	
	Nghi H. Ly	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/07/05 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Fiorletta (US 5,289,160) and further in view of Pearson (US 6,885,862).

Regarding claims 1 and 9, Canada teaches a polling method for use in communicating information from a wireless transceiver unit to a wireless base unit (see column 1 lines 15-23), the polling method comprising: receiving an information request message over a wireless communication channel (see column 9, lines 30-43 and column 10, lines 36-57 and column 15, lines 45-63), sending information in response to

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the information request message (also see column 10, lines 36-57 and column 15, lines 45-63).

Canada does not specifically disclose repeating the receiving and sending on a regular basis.

Fiorletta teaches repeating the receiving and sending on a regular basis (see column 8, lines 62-67, column 9, lines 57-61 and column 14, lines 4-10, and fig.6, wireless connection between antennas 503 and 603).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Fiorletta into the system of Canada in order to warn a driver of a vehicle of low pressure in one or more of it's tires so that the driver may take corrective action before a tire blowout occurs (see Fiorletta, Abstract).

The combination of Canada and Fiorletta does not specifically disclose the wireless transceiver unit and the wireless base unit capable of communication over a wireless control channel and a wireless data traffic channel, receiving an information request message over the control channel, sending information over the control channel in response to the information request message.

Pearson teaches the wireless transceiver unit and the wireless base unit capable of communication over a wireless control channel and a wireless data traffic channel (see Abstract, column 3, lines 22-37, column 3, lines 48-61), receiving an information request message over the control channel (see column 5, lines 55-61), sending

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information over the control channel in response to the information request message (see Abstract, column 3, lines 22-61).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Pearson into the system of Canada and Fiorletta in order to provide non-volatile storage of a partial program within each wireless subscriber terminal so that the wireless subscriber terminal need not receive an entire program in a single session (see Pearson, Abstract).

4. Claims 2, 3, 5, 8, 10, 11 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Fiorletta (US 5,289,160) and further in view of Pearson (US 6,885,862) and Patel (US 5,315,636).

Regarding claims 2, 3, 5, 10, 11 and 14, the combination of Canada, Fiorletta and Pearson teaches claim 1. The combination of Canada, Fiorletta and Pearson does not specifically disclose polling is initiated in response to a detected problem.

Patel teaches polling is initiated in response to a detected problem (see column 3, lines 15-25 and column 10, lines 24-44).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Patel into the system of Canada, Fiorletta and Pearson in order to enable a caller to contact a system subscriber at any location (see Patel, column 1, lines 1-12).

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Regarding claims 8 and 17, Canada further teaches the information request message comprises data indicative of a requested information type and the information sent corresponds to the requested information type (see column 9 lines 30-43).

Regarding claim 15, Canada further teaches receiving the information from each one of the wireless transceiver units at random points in time (see abstract, "the system is communicating at any given time").

Regarding claim 16, Canada further teaches sending the polling request message comprises broadcasting it for receipt by a plurality of wireless transceiver units (see column 9, lines 30-43), the polling method further comprising: receiving information from each one of the wireless transceiver units at random points in time over a shared channel (see column 14, lines 14-17, and see fig.1, link between box 6 and 8a, and link between 6 and 8c).

5. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Fiorletta (US 5,289,160) and Pearson (US 6,885,862) and further in view of Gehrig (US 5,937,358).

Regarding claims 4 and 12, the combination of Canada, Fiorletta and Pearson teaches claims 1 and 9 and initiating the repeated receiving and sending in response to detecting the communication failure (see Fiorletta, column 8, lines 62-67, column 9, lines 57-61 and column 14, lines 4-10). The combination of Canada, Fiorletta and Pearson does not specifically disclose detecting a communication failure on traffic channel.

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Gehrig teaches detecting a communication failure on traffic channel (see column 6, lines 33-49).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Gehrig into the system of Canada, Fiorletta and Pearson in order to provide a method and device for communication in traffic guidance systems in that the data and voice channels reserved for traffic operation can be better utilized (see column 2, lines 25-31).

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Fiorletta (US 5,289,160) and Pearson (US 6,885,862) and further in view of Paneth et al (US 6,014,374).

Regarding claims 6 and 7, the combination of Canada, Fiorletta and Pearson teaches claim 1. The combination of Canada, Fiorletta and Pearson does not specifically disclose delaying a random period of time prior to sending the information.

Paneth teaches delaying a random period of time prior to sending the information (see column 21, lines 59-62).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Paneth into the system of Canada, Fiorletta and Pearson in order to provide a system for the wireless transmission of multiple information signals utilizing digital time division circuits between a base station and subscriber stations (see Paneth, column 1, lines 20-23).

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7. Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Fiorletta (US 5,289,160) and Pearson (US 6,885,862) and further in view of Serikawa et al (US 6,347,092).

Regarding claim 13, the combination of Canada, Fiorletta and Pearson teaches a polling method for use in communicating information from a wireless transceiver unit to a wireless base unit (see Canada, abstract and column 1, lines 15-23), the polling method comprising: detecting that a communication failure involving a wireless transceiver unit has occurred (see Canada, column 14, lines 53-56 and column 16, lines 18-48) and initiating the repeated receiving and sending (see Fiorletta, column 8, lines 62-67, column 9, lines 57-61 and column 14, lines 4-10).

The combination of Canada, Fiorletta and Pearson does not specifically disclose tearing down a data traffic channel used by the transceiver unit in response to detecting.

Serikawa teaches tearing down a data traffic channel used by the transceiver unit in response to detecting (see column 36, lines 49-58 and see column 19, lines 17 to column 20, lines 1. In addition, see Applicant's remarks dated 07/26/2004, page 13, lines 13-14).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Serikawa into the system of Canada, Fiorletta and Pearson in order to prevent collision (see Serikawa, column 36, lines 49-58).

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8. Claims 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Serikawa et al (US 6,347,092) and further in view of Patel (US 5,315,636).

Regarding claim 18, Canada teaches a polling method for use in communicating information from a wireless transceiver unit to a wireless base unit (see abstract and column 1, lines 15-23), the polling method comprising: detecting that a power failure involving a wireless transceiver unit has occurred (see column 14, lines 53-56 and column 16, lines 18-48).

Canada does not specifically disclose tearing down a data traffic channel used by the transceiver unit in response to detecting that the power failure has occurred.

Serikawa teaches tearing down a data traffic channel used by the transceiver unit in response to detecting that the power failure has occurred (column 36, lines 49-58, see "after". In addition, see Applicant's remarks dated 07/26/2004, page 13, lines 13-14).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Serikawa into the system of Canada in order to prevent collision (see Serikawa, column 36, lines 49-58).

The combination of Canada and Serikawa does not specifically disclose polling the wireless transceiver unit for information in response to detecting that the power failure has occurred.

Patel teaches polling the wireless transceiver unit for information in response to detecting that the power failure has occurred (see column 3, lines 15-25 and column 10, lines 24-44).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Patel into the system of Canada and Serikawa in order to rationalized the data processing by transmit the accumulated data (see Patel, column 1, lines 1-12).

Regarding claim 19, Canada further teaches polling comprises polling for information on a periodic basis (see column 16, lines 18-22).

Regarding claim 20, Canada further teaches polling comprises sending an information request message to the wireless transceiver unit over a control channel (see column 9, lines 30-43 and column 10, lines 45-57).

Regarding claim 21, Canada further teaches polling comprises sending an information request message (see column 9, lines 30-43) to the wireless transceiver unit and receiving information from the wireless transceiver unit, if available, in response to sending the information request message (see column 10, lines 36-44).

9. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Gehrig (US 5,937,358).

Regarding claim 22, Canada teaches a polling method for use in communicating information from a plurality of wireless transceiver units to a wireless base unit (see fig.1 and see column 10, lines 21-56), the wireless transceiver units and wireless base unit

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having one or more data traffic channels available for communicating high speed data there between (see fig.1).

Canada does not specifically disclose detecting, on a data traffic channel, a communication failure involving a wireless transceiver unit, and polling the wireless transceiver unit for information in response to detecting the communication failure on the data traffic channel.

Gehrig teaches detecting, on a data traffic channel, a communication failure involving a wireless transceiver unit, and polling the wireless transceiver unit for information in response to detecting the communication failure on the data traffic channel (see column 6, lines 33-49).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Gehrig into the system of Canada in order to provide a method and device for communication in traffic guidance systems in that the data and voice channels reserved for traffic operation can be better utilized (see column 2, lines 25-31).

Regarding claim 23, Canada further teaches polling comprises polling for information on a periodic basis (see column 16, lines 18-22).

Regarding claim 24, Canada further teaches polling comprises sending an information request message to the wireless transceiver unit over a control channel (see column 9, lines 30-43 and column 10 lines 45-57).

Regarding claim 25, Canada further teaches polling comprises sending an information request message to the wireless transceiver unit; and receiving information

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from the wireless transceiver unit, if available, in response to sending the information request message (see column 9, lines 30-43 and column 10, lines 36-44).

10. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Poisner (US 6,108,785).

Regarding claim 26, Canada teaches a polling method for use in communicating information from a plurality of wireless transceiver units to a wireless base unit (see fig.1 and see fig.2, antenna 406 for wireless connection), the wireless transceiver units and wireless base unit having a broadcast channel available there between (also see fig.1), the polling method comprising: sending an information request message over a broadcast channel for receipt by a plurality of wireless transceiver units (see column 10, lines 36-57 and column 15, lines 45-63), and receiving information from each available wireless transceiver unit at random points in time (column 14, lines 14-17, see "at any time") over a shared channel (see column 11, lines 48-51 and (see column 14, lines 14-17, and fig.1, link between box 6 and 8a, and link between 6 and 8c).

Canada does not specifically disclose receiving information in response to sending the information request message.

Poisner teaches receiving information in response to sending the information request message (see column 3, lines 9-17 and column 3, lines 59-67).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Poisner into the system of Canada in order to prevent unauthorized usage of device.

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Regarding claim 27, Canada further teaches the information comprises status information (see column 10, lines 36-44).

Regarding claim 28, claim 28 is rejected with a similar reason as set forth in claim 26 above.

11. Claims 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canada et al (US 6,301,514) in view of Jandrell (US 5,526,357).

Regarding claims 29 and 31, Canada teaches a polling method for use in communicating information from a wireless transceiver unit to a wireless base unit (see fig.1), the polling method comprising: receiving an information request message over a broadcast channel (see column 9, lines 30-43 and column 10 lines 45-57), delaying (see column 14, lines 23-31) for a random of time (column 14, lines 14-17, see "at any time", and sending information corresponding to the information request message (see column 9, lines 30-43) over a shared channel after delaying (see column 12, lines 47-51, column 10, lines 36-57 and column 15, lines 45-63). Canada does not specifically disclose delaying for a period of time in response to receiving the information request message.

Jandrell teaches delaying for a random period of time in response to receiving the information request message (see column 29, lines 5-9).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Jandrell into the system of

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Canada in order to provide a system for communication efficiency and minimizing the effect of multipath interference (see Jandrell, Abstract).

Regarding claims 30, Canada further teaches the information comprises status information (see column 10, lines 36-44 and column 15, lines 37-40).

Response to Arguments

12. a. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

b. Applicant's arguments filed 11/07/2005 have been fully considered but they are not persuasive.

On page 12 of applicant's remarks, applicant argues that Serikawa does not teach tearing down a data traffic channel used by the transceiver unit in response to detecting that the power failure has occurred and the combination of Canada and Serikawa do not suggest detecting a power failure and tearing down a wireless data traffic channel in response to the power failure detection.

In response, Serikawa does indeed teach tearing down a data traffic channel used by the transceiver unit in response to detecting that the power failure has occurred and the combination of Canada and Serikawa do not suggest detecting a power failure and tearing down a wireless data traffic channel in response to the power failure detection (column 36, lines 49-58, see "after", "stop", and see Applicant's remarks dated 07/26/2004, page 13, lines 13-14).

On page 15 of applicant's remarks, applicant argues that Canada does not teach at random points in time over a shared channel in response to sending the information request message .

In response, Canada does indeed teach random points in time over a shared channel in response to sending the information request message (column 14, lines 14-17, see "at any time" and see column 11, lines 48-51, see column 14, lines 14-17, and fig.1, link between box 6 and 8a, link between 6 and 8c).

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi H. Ly

NHL
01/13/06



CHARLES APPIAH
PRIMARY EXAMINER